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10 Attorneys for defendant,
11 Watercraft Superstore, Inc.

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

WEST MARINE, INC.,

) Case No.: 5:11-04459 HRL

Plaintiff,

) **STIPULATION RE: DISMISSAL OF
ALL CLAIMS AND COUNTERCLAIMS
WITH PREJUDICE**

vs.

WATERCRAFT SUPERSTORE, INC.,

) Judge: Magistrate Judge
Howard R. Lloyd

Defendant.

AND RELATED COUNTERCLAIMS

1 **STIPULATION RE: DISMISSAL**

2 Plaintiff West Marine, Inc. ("Plaintiff") and Defendant Watercraft Superstore, Inc.
3 ("Defendant"), by and through their respective counsel, hereby stipulate and agree that the above-
4 captioned action, including all claims and counterclaims, be and hereby is dismissed with prejudice
5 pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure.

6

7 DATED: March 29, 2013

GREENBERG TRAURIG, LLP

8

9 By: /s/ Wendy M. Mantell
10 WENDY M. MANTELL
11 Attorneys for Plaintiff
WEST MARINE, INC.

12

DATED: March 29, 2013

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

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By: /s/ Allen Ruby
ALLEN RUBY
15 Attorneys for Defendant
16 WATERCRAFT SUPERSTORE, INC.

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1 **PROOF OF SERVICE**

2 **STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

3 I am employed in the aforesaid county, State of California; I am over the age
4 of 18 years and not a party to the within action; my business address is 1840 Century
Park East, Suite 1900, Los Angeles, CA 90067-2121.

5 On March 29, 2013, I served the document(s) described as: **STIPULATION RE:**
6 **DISMISSAL OF ALL CLAIMS AND COUNTERCLAIMS WITH PREJUDICE** on the
7 interested parties in this action by placing a true copy thereof enclosed in a sealed
envelope, postage prepaid, addressed as follows:

8 SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

9 Allen Ruby

10 Thomas Christopher

11 Chandra S. Russell

12 525 University Avenue, Suite 1100

13 Palo Alto, CA 94301

14 Telephone: (650) 470-4500

15 Facsimile: (650) 470-4570

16 Attorneys for defendant,
17 Watercraft Superstore, Inc

18 **(BY CM/ECF)**

19 Pursuant to CM/ECF System, registration as a CM/ECF user constitutes service
20 through the Court's transmission of facilities. The Court's CM/ECF system
21 sends an email notification of the filing to the parties and counsel of record
22 listed above who are registered with the Court's CM/ECF system.

23 **(STATE)** I declare under penalty of perjury under the laws of the State of
24 California that the foregoing is true and correct.

25 **(FEDERAL)** I declare under penalty of perjury that the foregoing is true and
26 correct, and that I am employed at the office of a member of the bar of this
27 Court at whose direction the service was made.

28 Executed on March 29, 2013, at Los Angeles, California.

26 /s/ Alexia Heatherly
27 Alexia Heatherly